

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
KLEIN SLOWIK, PLLC.,

Plaintiff,

-against-

DANIEL S. SCHNEIDER, MICHAEL S. FARBER,
AND FARBER, SCHNEIDER, AND FERRARI, LLP

Defendants.

Index No.:

SUMMONS

New York County is
Designated as the
Place of Trial

Plaintiff's Place of
Business

-----X
TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance, on BLODNICK, FAZIO & CLARK, attorneys for plaintiff, within twenty (20) days after the service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: Garden City, New York
June 17, 2019

Yours etc.,

BLODNICK, FAZIO & CLARK

By:


EDWARD K. BLODNICK

Attorneys for Plaintiff

1325 Franklin Avenue, Suite 555
Garden City, New York 11530
(516) 280-7105

Defendant's Address:

Daniel S. Schneider, Esq.
Farber, Schneider & Ferrari, LLP
630 3rd Avenue, #601
New York, New York 10017

Michael S. Farber, Esq.
Farber, Schneider & Ferrari, LLP
630 3rd Avenue, #601
New York, New York 10017

Farber, Schneider & Ferrari, LLP
630 3rd Avenue, #601
New York, New York 10017

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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KLEIN SLOWIK, PLLC,

Plaintiff,

Index No.:

COMPLAINT

-against-

DANIEL S. SCHNEIDER, MICHAEL S. FARBER,
and FARBER, SCHNEIDER AND FERRARI, LLP,

Defendants.
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Plaintiff, by its attorneys BLODNICK, FAZIO & CLARK, complaining of Defendants DANIEL S. SCHNEIDER, MICHAEL S. FARBER, and FARBER, SCHNEIDER AND FERRARI, LLP, as and for their Verified Complaint, hereby alleges as follows:

1. Plaintiff Klein Slowik, PLLC, is a law firm licensed to practice law in the State of New York, with offices located at 90 Broad Street, Suite 602, New York, New York, 10004, ("Klein Slowik).

2. Upon information and belief, Daniel S. Schneider is an attorney duly licensed to practice law in the State of New York and has an office for the practice of law in New York County.

3. Upon information and belief, Michael S. Farber is an attorney duly licensed to practice law in the State of New York and has an office for the practice of law in New York County.

4. Upon information and belief Farber, Schneider and Ferrari, LLP, is a law firm licensed to practice law in the State of New York and defendants Michael Ferrari, Michael S. Farber and Daniel S. Schneider are members of said law firm.

5. That defendants Michael S. Farber and Daniel S. Schneider are former employees of Klein Slowik, PLLC.

6. That as former employees of Klein Slowik, PLLC, defendants Michael S. Farber, and Daniel S. Schneider had access to names, addresses and all information contained in the client files of Klein Slowik, PLLC, including phone logs, billing records, electronic records, support services and facilities.

7. That each of the aforementioned former employees accessed the records and facilities of Klein Slowik, PLLC for either or improper and/or unethical and/or illegal purposes, ("Former Employee Acts").

8. That defendants Michael S. Farber and Daniel S. Schneider committed some of the former acts while employees of Klein Slowik, PLLC.

9. That defendants Michael S. Farber and Daniel S. Schneider while employees of Klein Slowik, PLLC performed the following acts: (i) made appointments in the Klein Slowik, PLLC calendar for business unrelated to Klein Slowik PLLC business; (ii) used the Klein Slowik, PLLC phone system for conference calls unrelated to Klein Slowik, PLLC business; (iii) solicited Klein Slowik, PLLC clients for business with their new firm, Farber, Schneider and Ferrari, LLP; (iv) solicited Klein Slowik, PLLC clients by correspondence; (v) kept a log of phone calls not related to Klein Slowik, PLLC business; (vi) attempted to use the notification to Klein Slowik PLLC clients of their impending departure as a vehicle for soliciting business for their new firm; (vii) refused to furnish Klein Slowik, PLLC with written status reports of matters assigned to them although they were requested to do so; (viii) filed a motion in Nassau County on a new file under the name of FARBER SCHNEIDER FERRARI, without the knowledge, consent or the authority of Klein Slowik, PLLC; (ix) removed property belonging to Klein

Slowik, PLLC from the office without consent of Klein Slowik, PLLC; (x) deleted a mass number of Klein Slowik, PLLC electronic files and documents; (xi) prepared the Farber, Schneider and Ferrari, LLP website while still employed by Klein Slowik, PLLC on Klein Slowik, PLLC time.

10. That upon information and belief Michael S. Farber and Daniel S. Schneider benefited from the aforementioned acts as set forth above.

11. That upon information and belief Michael Ferrari either assisted Michael S. Farber and Daniel S. Schneider in all or some of the acts as set forth in Paragraph 10 of the Complaint or benefited from some or all of said acts.

**AS AND FOR A FIRST CAUSE OF ACTION AGAINST DEFENDANTS
MICHAEL S. FARBER AND DANIEL S. SCHNEIDER**

12. Plaintiff repeats and reiterates each and every allegation contained in Paragraphs “1” through “12” of the Complaint with the same force and effect as if set forth at length herein.

13. That the acts of the defendants Michael S. Farber and Daniel S. Schneider were those of faithless servants.

14. That Klein Slowik PLLC has sustained damages due to the acts of Michael S. Farber and Daniel S. Schneider of not less than \$500,000.00.

15. That damages consist of the following, among others not yet identified:

- (i) Salaries paid but not earned;
- (ii) Business stolen;
- (iii) Value of files;
- (iv) Use of facility for development of their own business.

**AS AND FOR A SECOND CAUSE OF ACTION AGAINST DEFENDANTS
FARBER, SCHNEIDER AND FERRARI, LLP**

16. Plaintiff repeats and reiterates each and every allegation contained in Paragraphs “1” through “15” of the Complaint with the same force and effect as if set forth at length herein.

17. That upon information and belief the Defendants Farber, Schneider and Ferrari, LLP, collectively and/or singularly, and/or in conjunction with Michael Farber and/or Daniel S. Schneider, performed and or assisted in and/or benefited from the actions as set forth in Paragraph "10" of the Complaint.

18. That as a result thereof Plaintiff was damaged in a sum of not less than \$500,000.

WHEREFORE, plaintiff demands judgment in the first cause of action in a sum of not less than \$500,000 and in the second cause of action a sum of not less than \$500,000, with punitive damages in both causes of action in a sum of not less than \$1,000,000, plus interest, costs and attorney fees, together with such other and further relief as this Court deems just and proper.

Dated: Garden City, New York
June 17, 2019

Yours, etc.

BLODNICK, FAZIO & CLARK

By: _____

EDWARD K. BLODNICK
Attorneys for Plaintiffs
1325 Franklin Avenue, Suite 555
Garden City, New York 11530
(516) 280-7105

VERIFICATION

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

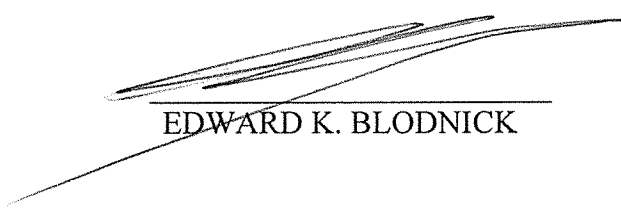
The undersigned, an attorney admitted to practice in the Courts of New York, respectfully affirms under oath:

That deponent is an associate in the firm of Blodnick, Fazio & Clark., the attorneys of record for Plaintiffs in the within action. I have read the foregoing Complaint in the within action and upon information and belief, deponent believes the contents thereof to be true.

The grounds of deponent's beliefs are communications with the Plaintiff and a review of the file maintained in this action by this firm.

This verification is made by deponent and not by Plaintiff because Plaintiffs' place of business is outside of the County where affirmant maintains his office.

Dated: Garden City, New York
June 17, 2019



EDWARD K. BLODNICK

Index No.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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AND FARBER, SCHNEIDER, AND FERRARI, LLP.

Defendants.

SUMMONS AND COMPLAINT

BLODNICK, FAZIO & CLARK

Attorneys for Plaintiff
1325 Franklin Avenue, Suite 555
Garden City, New York 11530
(516) 280-7105
(516) 280-7102 Fax

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: June 17, 2019

Signature



EDWARD K. BLODNICK
